

SENATE BILL 1491

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 36; Title 37; Title 63;
Title 67; Title 68 and Title 71, relative to baby
boxes.

WHEREAS, in March of 2017, Alabama became the third U.S. state, after New Jersey and Ohio, to make free "baby boxes" available to the families of all newborns on a statewide basis; and

WHEREAS, the "baby box" distributed in these states is a sturdy cardboard box that doubles as a bassinet and comes with a firm foam mattress, a tight-fitting sheet, and breastfeeding accessories; and

WHEREAS, these baby box distribution initiatives are a variation of a program providing maternity packages in Finland, which began approximately eighty years ago, when that country suffered a postneonatal death rate of nearly ten percent; and

WHEREAS, Finland's infant mortality rate has dropped by over ninety-five percent in the past eight decades and is now one of the world's lowest; and

WHEREAS, within the United States, Tennessee has a particularly high rate of infant mortality. According to the 2017 America's Health Rankings report, at over six infant deaths per one thousand live births, Tennessee's infant mortality rate ranks thirty-eighth among U.S. states; and

WHEREAS, promoting safe sleep and reducing other risk factors for infant mortality is of the utmost importance to the Tennessee General Assembly; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, Part 8, is amended by adding the following language as a new section:

(a) This section shall be known and may be cited as the "Infant Mortality Reduction Program Act."

(b) As used in this section:

(1) "Baby box" means a box that is made of durable cardboard, is lined with a firm mattress and a fitted sheet such that it can serve as a safe sleep environment for the first few months of an infant's life, meets all applicable tenets of the bassinet standard established by the United States Consumer Product Safety Commission, and contains newborn infant care essentials aimed at promoting safe sleeping practices and reducing SIDS, as well as items to encourage safe and healthy habits for families transitioning to parenting;

(2) "Department" means the department of health;

(3) "Medical facility" means a hospital or birthing center as those terms are defined in § 68-11-201; and

(4) "SIDS" means sudden infant death syndrome.

(c) The department shall establish a program that provides to parents, who reside in this state and complete a parent education syllabus as described in subsection (d), a baby box, at no cost to the parents, at the birth of the parents' child at a medical facility in this state. The department shall coordinate with medical facilities to maintain, store, and distribute baby boxes in accordance with this section. The department may vary the informational materials contained in the baby boxes by region in order to meet the unique needs of the relevant communities.

(d) The department shall require that any parent who wishes to obtain a baby box pursuant to subsection (c) first complete a parent education syllabus to ensure proper use of the baby box, as well as to educate on the accepted rules of safe sleep for infants. The department shall develop the parent education syllabus, which must cover, at a minimum, the risks associated with certain sleep conditions and safe sleep practices designed to reduce infant mortality rates. The department shall design and implement a

sufficient certification process to ensure that a parent has completed the parent education syllabus. The department shall create an online portal on the department's website containing the parent education syllabus. The department may also coordinate with medical facilities to offer the parent education syllabus onsite at the facilities.

(e) The department shall pursue available funding options and make efforts to establish a public-private partnership with organizations that promote safe infant sleeping causes or manufacture safe infant sleeping products in order to seek to obtain donations for implementation and administration of this part.

(f) By February 1 each year, the department shall submit to the health committee of the house of representatives and the health and welfare committee of the senate a report that analyzes the quality, appropriateness, and effectiveness of the program in reducing infant mortality related to SIDS. The report may be submitted in conjunction with any other report submitted by the department to those committees.

(g) The department may promulgate rules to effectuate the purposes of this part. Rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2019, the public welfare requiring it.